

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 56th LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON AGRICULTURE**

**Call to Order:** By **CHAIRMAN JOE BARNETT**, on February 11, 1999 at 3:00 P.M., in Room 437 Capitol.

#### **ROLL CALL**

**Members Present:**

Rep. Joe Barnett, Chairman (R)  
Rep. John L. Holden, Vice Chairman (R)  
Rep. Ralph Lenhart, Vice Chairman (D)  
Rep. Darrel Adams (R)  
Rep. Paul Clark (D)  
Rep. Rick Dale (R)  
Rep. Bill Eggers (D)  
Rep. Mary Anne Guggenheim (D)  
Rep. Donald L. Hedges (R)  
Rep. Verdell Jackson (R)  
Rep. Rick Jore (R)  
Rep. Monica Lindeen (D)  
Rep. Gay Ann Masolo (R)  
Rep. Brennan Ryan (D)  
Rep. Frank Smith (D)  
Rep. Bob Story (R)  
Rep. Bill Thomas (R)  
Rep. Cliff Trexler (R)

**Members Excused:** Rep. Kathleen Galvin-Halcro (D)  
Rep. Sam Rose (R)

**Members Absent:** None.

**Staff Present:** Joyce Bankhead, Committee Secretary  
Todd Everts, Legislative Branch

**Please Note:** These are summary minutes. Testimony and discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 444, HB 453, HB 463, HB 464  
HB 465, HB 466, Posted 2/5/99  
HB 571 Posted 2/9/9

Executive Action: HB 440 DO PASS  
HB 444 DO PASS as amended  
HR 2 DO PASS  
HB 571 DO PASS

**HEARING ON COMMITTEE RESOLUTION**

Chr. Barnett explained the resolution. **EXHIBIT**(agh34a01)

**Informational Testimony:**

Mike Murphy, MT Water Resource Assn.

***{Tape : 1; Side : A; Approx. Time Counter : 0 - 3.9}***

**Questions from Committee Members and Responses:**

Reps. Jore and Clark to Murphy. Todd Everts provided information. Reps. Clark, Story and Barnett discuss.

***{Tape : 1; Side : A; Approx. Time Counter : 3.9 - 8.5}***

**Motion/Vote:** REP. SMITH moved COMM. RESOLUTION to be drafted.

Motion carried 16-0.

***{Tape : 1; Side : A; Approx. Time Counter : 8.5 - 9}***

**HEARING ON HB 453**

**Opening Statement by Sponsor:**

Rep. Gail Gutsche, HD 66.

***{Tape : 1; Side : A; Approx. Time Counter : 9 - 18.7}***

**Proponents' Testimony:**

Senator Jon Tester, farmer in Big Sandy

***{Tape : 1; Side : A; Approx. Time Counter : 18.7 - 21.3}***

Vicki Watson, Professor of Environmental Studies UofMT.

**EXHIBIT**(agh34a02)

***{Tape : 1; Side : A; Approx. Time Counter : 21.3 - 32}***

Kelly Flaherty read the testimony of Helen Waller.

**{Tape : 1; Side : B; Approx. Time Counter : 0 - 3.7}**

Kelly Flaherty-Settle, rancher in Canyon Creek.

**{Tape : 1; Side : B; Approx. Time Counter : 3.7 - 5.3}**

Craig Sweet, MT Public Interest Research Group

**{Tape : 1; Side : B; Approx. Time Counter : 5.3 - 8.1}**

Ann Prunuske, self from Helena

**{Tape : 1; Side : B; Approx. Time Counter : 8.1 - 10.7}**

Wade Sikovski, self

**EXHIBIT (agh34a03) EXHIBIT (agh34a04) EXHIBIT (agh34a05)**

**{Tape : 1; Side : B; Approx. Time Counter : 10.7 - 12.5}**

Sue Gregerson, self and Garden City Harvest in Missoula

**{Tape : 1; Side : B; Approx. Time Counter : 12.5 - 14.5}**

Bryony Schwan, self **EXHIBIT (agh34a06)**

**{Tape : 1; Side : B; Approx. Time Counter : 14.5 - 19.8}**

Nellie Israel, NPRC and self from Joliet

**{Tape : 1; Side : B; Approx. Time Counter : 19.8 - 21.5}**

Ken Romo, self from Townsend **EXHIBIT (agh34a07)**

**{Tape : 1; Side : B; Approx. Time Counter : 21.5 - 22.3}**

Chet Kinsey, self from Helena

**{Tape : 1; Side : B; Approx. Time Counter : 22.3 - 23.1}**

Katrina Scheuerman, MT Audubon

Denise Roth Barber, Consumer

Anne Hedges, MT Envir. Information Center

Mark Fix, self from Miles City

**{Tape : 1; Side : B; Approx. Time Counter : 23.1 - 24.2}**

### **Opponents' Testimony:**

Pam Langley, Ex. Director of MT Agricultural Business Assn.

**EXHIBIT (agh34a08)**

**{Tape : 1; Side : B; Approx. Time Counter : 24.2 - 30.2}**

**{Tape : 2; Side : A; Approx. Time Counter : 0 - 2}**

John Youngberg, MT Farm Bureau

**{Tape : 2; Side : A; Approx. Time Counter : 2 - 6.3}**

Ron DeYong, MT Farmers Union

**{Tape : 2; Side : A; Approx. Time Counter : 6.3 - 13.3}**

Bob Stephens, MT Grain Growers Assn.

**{Tape : 2; Side : A; Approx. Time Counter : 13.3 - 13.7}**

Candace Payne, WIFE **EXHIBIT**(agh34a09)

**{Tape : 2; Side : A; Approx. Time Counter : 13.7 - 14.4}**

**Informational Testimony:**

Neal Blossom, American Chemet Corp.

**{Tape : 2; Side : A; Approx. Time Counter : 14.4 - 17.1}**

**Questions from Committee Members and Responses:**

Rep. Clark to Youngberg

**{Tape : 2; Side : A; Approx. Time Counter : 17.1 - 19.5}**

Rep. Clark to Langley

**{Tape : 2; Side : A; Approx. Time Counter : 19.5 - 22}**

Rep. Clark to Rep. Gutsche

**{Tape : 2; Side : A; Approx. Time Counter : 22 - 23.2}**

Rep. Clark to Art Compton, DEQ

**{Tape : 2; Side : A; Approx. Time Counter : 23.2 - 25.6}**

Rep. Holden to Jeff Jakison, MSU

**{Tape : 2; Side : A; Approx. Time Counter : 25.6 - 27.5}**

Rep. Adams to Rep. Gutsche

**{Tape : 2; Side : A; Approx. Time Counter : 27.5 - 29.9}**

Rep. Holden to Stephens

**{Tape : 2; Side : A; Approx. Time Counter : 29.9 - 31}**

**{Tape : 2; Side : B; Approx. Time Counter : 0 - 1.5}**

Rep. Hedges to Garrison

**{Tape : 2; Side : B; Approx. Time Counter : 1.5 - 3.5}**

**Closing by the Sponsor:**

Rep. Gutsche closed the Hearing on HB 453. **EXHIBIT**(agh34a10)

**{Tape : 2; Side : B; Approx. Time Counter : 3.5 - 7}**

**HEARING ON HB 571**

**Opening Statement by Sponsor:**

Rep. Matt McCann, HD 92.

**{Tape : 2; Side : B; Approx. Time Counter : 7 - 12.2}**

**Proponents' Testimony:**

John Metropoulos, Flathead Joint Board of Control

***{Tape : 2; Side : B; Approx. Time Counter : 12.2 - 15.3}***

Mike Murphy, MT Water Resource Assn.

***{Tape : 2; Side : B; Approx. Time Counter : 15.3 - 16.3}***

**Opponents' Testimony:**

NONE

***{Tape : 2; Side : B; Approx. Time Counter : 16.3 - 16.5}***

**Questions from Committee Members and Responses:**

Reps. Lenhart and Smith to Rep. McCann

***{Tape : 2; Side : B; Approx. Time Counter : 16.5 - 20.1}***

**Closing by the Sponsor:**

Rep. McCann closed the Hearing on HB 571.

***{Tape : 2; Side : B; Approx. Time Counter : 20.1 - 21}***

**HEARING ON HB 444**

**Opening Statement by Sponsor:**

Rep. Bill Thomas, HD 93. **EXHIBIT**(agh34a11)

***{Tape : 2; Side : B; Approx. Time Counter : 21 - 27.2}***

**Proponents' Testimony:**

John Mundinger, MT Stockgrowers Assn., MT Public Land Council,  
and MT Assn. of State Grazing Districts

also for Ron DeYong, MT Farmers Union

also for Red Butte Grazing District

***{Tape : 2; Side : B; Approx. Time Counter : 27.2 - 29}***

***{Tape : 3; Side : A; Approx. Time Counter : 0 - 11}***

John Youngberg, Farm Bureau

***{Tape : 3; Side : A; Approx. Time Counter : 11 - 11.4}***

Jim Raths, Pres. MT Assn. State Grazing Districts

***{Tape : 3; Side : A; Approx. Time Counter : 11.4 - 13.8}***

Steve Schmitz, DNRC **EXHIBIT**(agh34a12)

***{Tape : 3; Side : A; Approx. Time Counter : 13.8 - 17.6}***

Mike Murphy, Mt Water Resource District

**{Tape : 3; Side : A; Approx. Time Counter : 17.6 - 18}**

**Opponents' Testimony:**

NONE

**{Tape : 3; Side : A; Approx. Time Counter : 18 - 18.4}**

**Questions from Committee Members and Responses:**

Rep. Jore to Rath

**{Tape : 3; Side : A; Approx. Time Counter : 18.4 - 25.3}**

Rep. Hedges to Sponsor and referred to Rath

**{Tape : 3; Side : A; Approx. Time Counter : 25.3 - 29.5}**

**Closing by the Sponsor:**

Rep. Thomas closed the Hearing on HB 444.

**{Tape : 3; Side : A; Approx. Time Counter : 29.5 - 30.7}**

**{Tape : 3; Side : B; Approx. Time Counter : 0 - 0.7}**

**HEARING ON HB 464, 465, 466**

**Opening Statement by Sponsor:**

Rep. Paul Clark, HD 72. **EXHIBIT**(agh34a13)

**{Tape : 3; Side : B; Approx. Time Counter : 0.7 - 12.8}**

**Proponents' Testimony:**

Stan Frasier, Pres. MT Wildlife Fed.

**{Tape : 3; Side : B; Approx. Time Counter : 12.8 - 16.9}**

John Kober, MACOW and MT Wildlife Federation

**{Tape : 3; Side : B; Approx. Time Counter : 16.9 - 18.2}**

Stan Rauch, MT Bowhunters Assn. **EXHIBIT**(agh34a14)

**{Tape : 3; Side : B; Approx. Time Counter : 18.2 - 21.9}**

Harry LaFriniere, Ravalli County Fish & Wildlife Assn.

**EXHIBIT**(agh34a15)

**{Tape : 3; Side : B; Approx. Time Counter : 21.9 - 24.2}**

Katrina Scheuerman, MT Audubon

**{Tape : 3; Side : B; Approx. Time Counter : 24.2 - 25}**

Paul Sihler, MT FW&P **EXHIBIT**(agh34a16)

*{Tape : 3; Side : B; Approx. Time Counter : 25 - 27.8}*

**Opponents' Testimony:**

Mark Taylor, MT Alternative Livestock Producers

**EXHIBIT**(agh34a17) **EXHIBIT**(agh34a18)

*{Tape : 3; Side : B; Approx. Time Counter : 27.8 - 29.8}*

*{Tape : 4; Side : A; Approx. Time Counter : 0 - 8}*

Bob Spoklie, rancher in Kalispell

*{Tape : 4; Side : A; Approx. Time Counter : 8 - 17.1}*

**HEARING ON HB 463**

**Opening Statement by Sponsor:**

Rep. Paul Clark, HD 72.

*{Tape : 4; Side : A; Approx. Time Counter : 17.1 - 20}*

**Proponents' Testimony:**

NONE

**Opponents' Testimony:**

NONE

*{Tape : 4; Side : A; Approx. Time Counter : 20 - 20.2}*

**Questions from Committee Members and Responses:**

Reps. Hedges, Dale, and Smith to Sihler

*{Tape : 4; Side : A; Approx. Time Counter : 20.2 - 26.7}*

Reps. Holden and Masolo to Frazier

*{Tape : 4; Side : A; Approx. Time Counter : 26.7 - 30.5}*

*{Tape : 4; Side : B; Approx. Time Counter : 0 - 2.9}*

Reps. Taylor and Holden

*{Tape : 4; Side : B; Approx. Time Counter : 2.9 - 6.1}*

Rep. Story to Sihler to Bila Gilda

*{Tape : 4; Side : B; Approx. Time Counter : 6.1 - 11.8}*

Rep. Dale to Sihler

*{Tape : 4; Side : B; Approx. Time Counter : 11.8 - 12.9}*

**Closing by the Sponsor:**

Rep. Clark closed the Hearing on HB 463, 464, 465, 466.

*{Tape : 4; Side : B; Approx. Time Counter : 12.9 - 18.6}*

EXECUTIVE ACTION ON HB 571

**Motion:** REP. MASOLO moved that HB 571 DO PASS.

**Discussion:** Rep. Masolo, Story, Dale. Todd Everts provided information. **Vote:** Motion carried 19-0.

**{Tape : 4; Side : B; Approx. Time Counter : 18.6 - 22.2}**

EXECUTIVE ACTION ON HR 2

**Motion/Vote:** REP. HEDGES moved that HR 2 DO PASS. Motion carried 19-0.

**{Tape : 4; Side : B; Approx. Time Counter : 22.2 - 23.3}**

EXECUTIVE ACTION ON HB 444

**Motion:** REP. THOMAS moved that HB 444 DO PASS.

**Motion/Vote:** REP. HOLDEN moved that HB 444 BE AMENDED. Motion carried 19-0.

**{Tape : 4; Side : B; Approx. Time Counter : 23.3 - 25.5}**

**Motion/Vote:** REP. HEDGES moved that HB 444 DO PASS AS AMENDED.

**Motion:** REP. HOLDEN moved that HB 444 BE AMENDED.

**Discussion:** Todd Everts explained amendment.

**Vote:** Motion carried 19-0.

**{Tape : 4; Side : B; Approx. Time Counter : 25.5 - 27.2}**

**Motion:** REP. HOLDEN moved that HB 444 DO PASS AS AMENDED.

**Discussion:** Reps. Jore, Story, and Thomas.

**{Tape : 4; Side : B; Approx. Time Counter : 27.2 - 28.9}**

Reps. Mascolo, Smith, Jore, Thomas, and Story. Todd Everts answered question on powers. Rep. Holden.

**Vote:** Motion carried 17-2 with Adams and Jore voting no.

**{Tape : 5; Side : A; Approx. Time Counter : 0 - 6.3}**

EXECUTIVE ACTION ON HB 345

Todd Everts explained the Grey Bill on HB 345. **EXHIBIT**(agh34a19)

**{Tape : 5; Side : A; Approx. Time Counter : 6.3 - 8.5}**



**Motion:** REP. HEDGES moved that HB 345 DO PASS AS AMENDED.

**Discussion:** Reps. Masolo, Adams, Holden, Thomas, Hedges and Story.

*{Tape : 5; Side : A; Approx. Time Counter : 8.5 - 13.8}*

**Substitute Motion/Vote:** REP. MASOLO made a substitute motion that HB 345 BE TABLED. Substitute motion carried 10-9 with Clark, voting no.

*{Tape : 5; Side : A; Approx. Time Counter : 13.8 - 16.9}*

**EXECUTIVE ACTION ON HB 440**

**Motion:** REP. THOMAS moved that HB 440 DO PASS.

**Motion/Vote:** REP. THOMAS moved that HB 440 BE AMENDED. Motion carried 19-0.

**Motion:** REP. THOMAS moved that HB 440 DO PASS AS AMENDED.

**Discussion:** Rep. Barnett, Clark, Dale, Adams, Lenhart, Smith, Thomas, Story, Holden, Jore and Clark.

*{Tape : 5; Side : A; Approx. Time Counter : 16.9 - 31.3}*

*{Tape : 5; Side : B; Approx. Time Counter : 0 - 2.1}*

**Vote:** Motion carried 15-4 with Clark, Lindeen, Mascolo, and Smith voting no.

**ADJOURNMENT**

Adjournment: 7:32 P.M.

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REP. JOE BARNETT, Chairman

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JOYCE BANKHEAD, Secretary

JB/JB

**EXHIBIT** (agh34aad)